App F IX 4

Previous References

194 Ly Municipal

File No 1005-43
Serial Nos 469
(RL 109-44-17, 18 also included)

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for Nov Uh

SUBJECT

Re Dividing of building sites in B'lore city for constructing more than one house in the same compounds

Mc Comm to B'lore city
L 4563 dated 26 11 46
forwards instructions

27/11

Camp Mysore, 1 5248/L

20th July 1943

GEN & REV SECTT 23 JULY 1943 GOVT LSG

DEWAN'S MINUTE

FILE No 194 D- 21 No S M 22

I notice that in some parts of Bangalore City building sites are being divided for constructing more than one house in the same compound I shall be glad to know if the bye-laws laying down the proportion of open space to build areas on building sites are being strictly enforced

DEWAN

SECY LAW DEPT 23/7/43 3 GOVT OF MYSORE

Law Secretary

Lr 23/7/43 2 with a draft letter for approval

23/7/43

OFFICE OF THE MINISTER FOR L S G & P H Date 24 7 43 No 664

3 Imperial Secretariat 23/7/43

4

5 25 7 43

TYPING SECTION 26 JULY 1943 GEN

Lr 26 7 43

To the ml Commr, Bgl, this Dept No L 1085 dy 27-7-43.

Secretariat (Urgent) for calls for the information up to 15/8/43

Letter No C 2. Pr 22/43-44 dy 6-9-43 from the ml Commr, Bgl furnishing the information called for

6 submitted for perusal.

7) It is stated that

the Bylaws in question are being strictly enforced & that if more than one house are proposed to be built within a large compound, license for putting up such houses is being granted only after the bifurcation of the entire site is sanctioned by the Competent authority.

2. Kind reference is also invited to the forwarding note of the President on this behalf & the report received from the Municipal Commissioner is for perusal with reference to the Dewan's remarks at para 1 supra.

3. The point raised by the President in his forwarding note is beside the issue in this case and he will be requested to forward a detailed report in the matter separately.

Law Secy
15/9/43

10) For perusal

11) What is being done to apply & get sanction for construction of one house building in separate premises one for dwelling, one as an out-house

SECY LAW DEPT 1589 15 GOVT OF MYSORE

Letter No A6-C2. Pr 22/43-44 & 28.44 from the Mk Comm, Bcis forwarding a report on the matter.

The report received from the Mk Comm is sent for perusal with reference to para 12 supra

Mks 26/8 — 19) Pl put up a copy of the Bylaws on the subject or an extract of the bylaw on question for perusal

Mks 28/8 20) A copy of the Building Bylaws is put up

Mks 28/8 21) Kind reference is invited to bylaw no 21 of the Mk Municipal bylaws for regulating the area of the site built upon & for reserving an open space. An enquiry was made whether the bylaw laying down the proportion of open space to built areas on building lots is being strictly enforced

23) Mk Mun Cmte has sent the detailed report showing the practice in enforcement with the above bylaw and adds that the bylaw is being insisted upon. It is also admitted that with the growing accommodation there are have exceptions in the heart of the city. It is stated that mostly

re enforcement of the bylaws in respect of re proportion of open space to built areas on building sites 96

one must rise a single case has been refused in a congested area and that applications for buildings are carefully scrutinized before being sanctioned supervision is stated to be exercised by the authority of the Engineers & Health officers while the constructions are going on & if they are built contrary to the conditions of license, proceedings are launched against them

iii) The Municipal Commrs. report is put up for perusal, with reference to the orders at paras 1 & 12 thereon

DE 11 OCT 1944 RC 2474

SECY 2633 GOVT OF MYSORE

Law Secy 1 & 4/12/44

The perusal

25 Inspite of the so-called Strict supervision Slums are flourishing in the one-door & the Dhadmandelu-Tank Bund may be cited as an instance

26) The Municipal Engineer & the Health officer ensure strict supervision of sanctions

Noted C/S

27) 9.10.44

Dewan

OFFICE OF THE MINISTER FOR L S G & P H Date 11 9 44 No 1889

send with a draft letter to the Mt Commr

4/11 To The Mt Commr Delhi — 4/11/44

L 4363, d 8-11-44

States that the Mt Engineer and the Health Officer should exercise greater scrutiny & care in stamp licenses

27/11

Appendix F G —1]

SUBJECT

2

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 27/7

Signed by Dr. A.R.Rao

List of enclosures

Copied by

Examined by

Section ML

File No

Serial No

No L1085

To

The ML Comm^r, Bng^r, thro' P.O.

Sir,

I am directed to state that it has come to the notice of Govt that, in some parts of Bangalore city, building sites are being divided for constructing more than one house in the same compound and to request you to be so good as to state if the Bye-Laws laying down the proportion of open space to built areas on building sites

WD 04161—GPB—60 000—24 10 41

BANGALORE CITY MUNICIPALITY

No C2-[illegible] aa/43-44. MUNICIPAL OFFICES

Encl Bangalore 30th Aug. 1943

FROM

T SURYANARAYANA SETTI, ESQ, B A LL B
MUNICIPAL COMMISSIONER
Bangalore City

C Narayanaswamy Naidu, Esq, B A, B L,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE
LAW DEPARTMENT BANGALORE

SIR

Subject Enforcement of Bye-laws laying down the proportion of open space to built areas on building sites

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With reference to your letter No 1085/M1 dated 27-7-1943 on the above subject, I have the honour to state that the Bye-laws in question are being strictly enforced However, if more than one house are proposed to be built within a large compound, license for putting up such houses is being granted only after the bifurcation of the entire site is sanctioned by the competent authority

I have the honour to be,
Sir,
Your most obedient servant,

Forwarded with compliments

T Suryanarayana Setti
Municipal Commissioner

Until recently owners of immovable properties in Calcutta, were compelled to submit partition according to Municipal bye-laws under sec 54-A of the Code of Civil Procedure But now the section has been omitted and in future, the Court would appoint a Commissioner to effect partition according to the shares declared in the

P T O

mlt

decree, and unless the licensing authority in the Municipality (cities in Bangalore or other cities in Mysore) is consulted by the Court as to the desirability of a prospective tenant offending the Municipal bye-laws, portion of a building, ought not to be affected either hardly. This would be one of the methods to control the house and other congestion questions. I request you to kindly draw the attention of the Government and request that the High Court may kindly be moved to frame suitable Rules to prevent indiscriminate partition of properties without reference to Municipal authorities.

Yours faithfully,

V. K. Gowindaraj

President, Muni Council,
Bangalore City

Appendix F G—1]

SUBJECT

Section ML
File No 100 - 43
Serial No 9

Diary No of letter replied to

No L3666/ML

To

The ML Comm, Bldg thro PWD

General and Revenue Secretariat

( )

the *194*

Sir,

Date of issue 24-9-43

With reference to your letter No C2-Pr22/43-4K dt 6-9-43 re the enforcement of the Bylaws laying down the proportion of open space to built areas on building sites in the city, I am directed to state that Govt ~~observe~~ courier that neither the observance of the Bylaws in this behalf nor the supervision by the licensing authorities

Signed by M G R. Rao.

List of enclosures

Copied by

Examined by

WD 04161—GPB—60 000—24 10 41

pl 109-44-17

961/2

BANGALORE CITY MUNICIPALITY

No A6-C2-Pr 22/43-44 MUNICIPAL OFFICES

Encl Bangalore 2nd Aug. 1944

13

FROM

P SURYANARAYANA SETTI, ESQ, BA, LL B
MUNICIPAL COMMISSIONER
Bangalore City

GEN & REV SECRT
10 AUG 1944
L S G BRANCH

TO

C Narayanaswamy Naidu, Esq, B A, B L,
Legal Remembrancer and
Secretary to Government,
Law Department,
Bangalore

SIR

With reference to your letter No L 3666/41 dated 24-9-1943, and subsequent reminder No L 11739/41 dated 22-5-1944, regarding the enforcement of Bye-laws laying down the proportion of open space to built areas on building sites in the City, I have the honour to state that building licenses are being issued as per the Bye-laws laid down regarding the proportion of open spaces to built area In cases of sites having 30 feet width, 5 feet side open space on one side, and for sites above 30 feet, 5 feet on either side is insisted upon The front open space that is being insisted upon is from 5 to 15 feet or even more according to the sale conditions Similarly rear open spaces are also observed Generally 6 to 8 feet open space is insisted upon between the main building and the outhouses - 1/3 open space in the case of small sites and ½ open space in bigger sites measuring 100' x 100' and above, are insisted upon while granting licenses In the interior of the City, there are rare exceptions as the sites here are very small and the owners also feel lot of difficulty for accommodation More than one unit in a single site has been refused in a majority of cases Whenever the parties apply for bifurcation, this is done after due consideration and sanction by competent authority In several cases, the people have a tendency to leave open spaces in the centre of the building and to have rooms alround which presents an appearance of having lesser open space

Regarding the supervision, I write to state that the concerned authorities both in the Engineering and the Health Sections check

Pages 1–16

To L4563/MH 109-44-18 15
dy 8-11-44
The Municipal Commr
Bombay
C Through the President

Subj - Enforcement of Bye-laws laying down the proportion of open space to built-areas on building sites in Bombay

Sir,

With reference to the correspondence ending with Your letter No A-6-62 Pr 22 43-44 dt 2-8-44, furnishing a report on the above subject, I am directed to observe that inspite of the so-called strict Supervision, slums are still springing up in different parts of the city.

14

close to the Harmaya and the Jamla tanks may be viewed as an instance.

2) I am therefore to add that the Municipal Engineer and the Health Officer be instructed to ~~Bangalore city Municipality~~ should exercise greater supervision and scrutiny in ~~this behalf~~ the grant of licenses ~~etc~~ in this behalf and to enforce the above by more strictly.

for
Secretary

Pages 1–16